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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/642,283

08/18/2003

Wataru Kakinoki

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01/24/2006

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EXAMINER

NGUYEN, HUNG THANH

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/642,283

Applicant(s)

KAKINOKI ET AL.

Examiner

HUNG T. NGUYEN

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-14 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.



DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5, 7-9, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Francis et al. (US 5,011,010).

Regard claim 1: Francis et al. discloses in figures 5-7, an appearance protective case for card-like computer peripheral equipment comprising: a sheet member (column 4, lines 10-23 describe the insertion of sheet member) including a draw-processed sheet member (column 4, lines 10-23 describe the insertion of sheet member) treated with coloring or marking; and a transparent or translucent cover case (10); wherein the sheet member (column 4, lines 10-23 describe the insertion of sheet member) includes an upper portion (printed material located in element 50, see column 4, lines 10-23) and three side portions (portion at element 13, portion opposite element 13, portion of element 16): each of the upper portion (printed material located in element 50, see column 4, lines 10-23) and the three side portions (portion at element 13, portion opposite element 13, portion of element 16) of the sheet member (column 4, lines 10-23 describe the insertion of sheet member) is connected to one another by rounded joint portions (16): and the sheet member (column 4, lines 10-23 describe the insertion of sheet member) is fitted into the cover case (10) such that the sheet member (column 4,

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lines 10-23 describe the insertion of sheet member) extends in close contact with an inner surface of the cover case (10). The appearance protective case can be used to store computer peripheral equipment.

Regard claim 5, 7: Francis et al. discloses the appearance protective case wherein the sheet member (explain in claim 1) comprises paper (see column 4, lines 10-23).

Regard claim 8: Francis et al. discloses in figures 5-7, an appearance protective case assembly for card-like computer peripheral equipment comprising: a frame (47, 49, 53) having a groove (49) formed along at least one side thereof; a sheet member (column 4, lines 10-23 describe the insertion of sheet member) including a draw-processed sheet member (column 4, lines 10-23 describe the insertion of sheet member) treated with coloring or marking, and a transparent or translucent cover case (10); wherein the sheet member (column 4, lines 10-23 describe the insertion of sheet member) includes an upper portion (printed material located in element 50, see column 4, lines 10-23) and three side portions (portion at element 13, portion opposite element 13, portion of element 16): each of the upper portion (printed material located in element 50, see column 4, lines 10-23) and the three side portions (portion at element 13, portion opposite element 13, portion of element 16) of the sheet member is connected to one another by rounded joint portions (16): and at least one of the three side portions (portion at element 13, portion opposite element 13, portion of element 16) of the sheet member is inserted into the groove (49) of the frame and the transparent or translucent cover case (10) and the frame are firmly fixed to each other so as to sandwich and hold a portion of the sheet member (column 4, lines 10-23 describe the insertion of sheet

member), including said at least one side. The appearance protective case can be used to store computer peripheral equipment.

Regard claim 9: Francis et al. disclose in figures 5-7, the appearance protective case wherein the sheet member (explain in claim 8) comprises at least one flange (24) at the front thereof such that the flange is sandwiched and held by the cover case (explain in claim 8) and the frame (47, 49, 53).

Regard claim 14: Francis et al. discloses in figures 5-7, the appearance protective case assembly wherein steps (49, 50) are formed in the groove (explain in claim 8) of the frame (explain in claim 8).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4, 6, 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Francis et al. (US 5,011,010) in view of Nakayama (US 6,413,630) and Jones et al. (US 6,438,638).

Regard claim 2: Francis et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 1 except, Francis et al. does not disclose the appearance protective case wherein the sheet member includes a decorative film comprising resin.

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Nakayama discloses the decorative film comprising resin (see column 1, line 20 and further)

Francis et al. and Nakayama are analogous art because they are from the same field of endeavor to decorate cases.

Therefore, it would have been obvious for one ordinary skill in the art at the time of the invention to make protective case of Francis et al. to include decorative film comprising resin as taught by Nakayama for the benefit of being able to decorate their products.

Regard claim 3 and 4: Francis et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 1 except, Francis et al. does not disclose the decorative film comprises a transparent film having a rear/front surface treated with coloring or marking.

Nakayama discloses the decorative film comprises a transparent film (see abstract and further) having a rear/front surface treated with coloring or marking.

Francis et al. and Nakayama are analogous art because they are from the same field of endeavor to decorate cases.

Therefore, it would have been obvious for one ordinary skill in the art at the time of the invention to make protective case of Francis et al. to comprises a transparent film having a rear/front surface treated with coloring or marking for the benefit of being able to decorate their products.

Regard claim 6: Francis et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 1 except, Francis et al. does not disclose the sheet member (explain in claim 1) comprises a metal sheet.

Nakayama discloses the sheet member comprises a metal sheet (see abstract and further).

Francis et al. and Nakayama are analogous art because they are from the same field of endeavor decorate cases.

Therefore, it would have been obvious for one ordinary skill in the art at the time of the invention to make protective case of Francis et al. to comprise a metal sheet as taught by Nakayama for the benefit of being able to decorate their products.

Regard claim 10: Francis et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 8 except, Francis et al. does not disclose the a circuit board, wherein the circuit board is sandwiched and held by the appearance protective case and the frame such that the sheet member and the frame lie in contact with opposing surfaces of the circuit board.

Jones et al. discloses in figures 2A-3B the a circuit board (circuit included storage reside inside the SD, MMC, MEMORY STICK etc), wherein the circuit board (circuit included storage reside inside the SD, MMC, MEMORY STICK etc) is sandwiched and held by the appearance protective case and the frame such that the sheet member and the frame lie in contact with opposing surfaces of the circuit board (circuit included storage reside inside the SD, MMC, MEMORY STICK etc)

Francis et al. and Jones et al. are analogous art because they are from the same field of endeavor to decorate cases.

Therefore, it would have been obvious for one ordinary skill in the art combine Francis et al. with Jones et al. for the benefit of being able to decorate their products.

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Regard claim 11: Francis et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 8 except, Francis et al. does not disclose the appearance protective case assembly further comprising an upper metal cover see abstract and further can be disposed anywhere depending on market firmly fixed to the cover case and the frame and a lower metal cover firmly fixed to the frame such that at least a colored or marked pattern printed on the sheet member is exposed. Nakayama discloses disclose the appearance protective case assembly further comprising an upper metal cover (see abstract and further can be disposed anywhere depending on market requirement) firmly fixed to the cover case (explain in claim 8) and the frame (explain in claim 8), and a lower metal cover (explain above) firmly fixed to the frame such that at least a colored or marked pattern printed on the sheet member (explain above) is exposed.

Francis et al. and Nakayama are analogous art because they are from the same field of endeavor to decorate cases.

Therefore, it would have been obvious for one ordinary skill in the art to combine Francis et al. with Nakayama for the benefit of being able to decorate their products.

Regard claim 12: Francis et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 8 except, Francis et al. does not disclose a Compact Flash card comprising the appearance protective case assembly. Jones et al. discloses a Compact Flash card comprising the appearance protective case assembly.

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Francis et al. and Jones et al. are analogous art because they are from the same field of endeavor to decorate cases.

Therefore, it would have been obvious for one ordinary skill in the art to combine Francis et al. with Jones et al. for the benefit of being able to decorate their products.

Regard claim 13: Francis et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 1 except, Francis et al. does not disclose the appearance protective case wherein the decorative film is made of one of polystyrene, acrylonitrile-butadiene-styrene copolymer, acrylonitrile-styrene copolymer, polyvinyl chloride, methacrylic resin, cellulosic resin, polycarbonate, polyethylene, polypropylene, polyvinylidene chloride, polyacetal, polyamide, and fluorocarbon resin.

Nakayama discloses the appearance protective case wherein the decorative film is made of one of polystyrene, acrylonitrile-butadiene-styrene copolymer, acrylonitrile-styrene copolymer, polyvinyl chloride, methacrylic resin, cellulosic resin, polycarbonate, polyethylene, polypropylene, polyvinylidene chloride, polyacetal, polyamide, and fluorocarbon resin.

Francis et al. and Nakayama are analogous art because they are from the same field of endeavor to decorate cases.

Therefore, it would have been obvious for one ordinary skill in the art at the time of the invention make decorative film of Francis by have one of the chemical above as taught by Nakayam for the benefit of being able to decorate their products.

Response to Amendment

Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Relevant Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Farag et al. (US 6,844,872) teaches the translucent device, Abbott et al. (US 6,671,808) teaches the protective case for USB, Pua et al. (US 6,490,163) teaches the translucent storage device, Chen (6,456,500) teaches the portable memory device.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG T. NGUYEN whose telephone number is 571-272-5983. The examiner can normally be reached on 8:00AM-5:30PM.

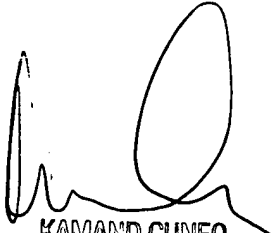
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KAMMIE CUNEO can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HUNG THANH NGUYEN

1/11/2006

HN



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